

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

RICHARD DILDAY

PLAINTIFF

VS.

Case No. 04-CV-4093

H. L. PHILLIPS, Miller County Sheriff,  
and JEFF BLACK, Warden, Miller County  
Detention Center

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed October 28, 2005 by the Honorable Bobby E. Shepherd, United States Magistrate Judge for the Western District of Arkansas. (Doc. 50) Judge Shepherd recommends Plaintiff's claims be dismissed with prejudice. Plaintiff has not filed objections to the Report and Recommendation. Therefore, the Court adopts the Report and Recommendation *in toto*. Plaintiff's claims against Defendants are dismissed with prejudice.

IT IS SO ORDERED, this 16<sup>th</sup> day of November, 2005.

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/s/ Harry F. Barnes

Hon. Harry F. Barnes  
U.S. District Court